HONOURABLE SRI JUSTICE B.PRAKASH RAO

And

HONOURABLE SRI JUSTICE D.APPARAO

MONDAY, THE TENTH DAY OF APRIL TWO THOUSAND SIX

WRIT APPEAL No.318 of 2006

Between:

The Commandant, Central Industrial Security Force, (Ministry of Home Affairs), Singareni Collieries Company Limited, Singareni, Bellampalli.

.. Appellant

Vs.

M.Srinivasa Rao .. Respondent

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JUDGMENT (Per Hon'ble Sri BPR, J)**:**

This appeal is at the instance of the Commandant, Central Industrial Security Force, assailing the orders of the learned Single Judge passed in W.P.No.20231 of 2005, dated
19-09-2005 setting aside the Show Cause Notice
No.E-40014/Caste/Doc/2005 8973, dated 20-08-2005.

2. The learned Single Judge after going into merits of the case and considering the submissions made by the counsel appearing on either side, set aside the show cause notice and made it clear that in case, the caste

certificate issued to the petitioner is cancelled in accordance with the procedure prescribed under the A.P.(Schedule Castes, Schedule Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for brevity 'the Act') and the rules made thereunder, it shall be open to the respondent to initiate necessary action against the writ petitioner. Aggrieved by the same, the present Writ Appeal is preferred.

3. During the course of arguments, the learned counsel for the respondent submits that in terms of the direction given by the learned single Judge, the appellant already approached the competent authority by addressing a letter dated 22-11-2005 which is pending before the competent authority.

4. In the light of the submission made by the learned counsel for the respondent, there is no necessity to go into the merits of the case at this stage. Accordingly, the appeal is dismissed. No costs.

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(B.PRAKASHRAO,J)

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(D.APPARAO, J)

April 10, 2006.

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